

[B 034221]

REMARKS

**I. INTRODUCTION**

Claims 20-36 remain pending in this application. It is respectfully submitted that based on the following remarks that all of the presently pending claims are in condition for allowance.

**II. THE 35 U.S.C. § 102(b) REJECTION SHOULD BE WITHDRAWN**

The Examiner has rejected claims 20, 23, and 25 under 35 U.S.C. § 102(b) as unpatentable over EP 0709812 (Watanabe). (See 6/13/06 Office Action, p. 3).

Watanabe is directed toward a radio receiver such as a portable telephone set for receiving a signal transmitted through a radio telephone line network. (See Watanabe, col. 1, ll. 3-6). When the radio receiver receives a signal, a calling sound signal is generated from a calling sound generator. (See *Id.*, col. 1, ll. 10-24). Specifically, when the audible ringing signal generating command signal is supplied to the audio signal processor, sound elements data stored in the ROM and data concerning a calling sound generating method stored in the RAM are supplied to the audio signal processor. The audio signal processor generates audio data on the basis of these data. (See *Id.*, col. 4, ll. 4-14).

Claim 20 recites “a processor operable to compose a melody *corresponding to the incoming message* subsequent to a reception of the incoming message by said receiver.” The processor in the present application composes a melody based on the incoming message. Those skilled in the art will understand that, for example, the length of the incoming message determines the length of the melody that is composed. For example, long incoming messages (e.g., many numbers or alphanumeric characters) have long melodies (e.g., many notes) while short incoming messages have short melodies. (See Specification, p. 5, l. 18 – p. 6, l. 5; Fig. 3). Thus, there is a correlation between the incoming message and the melody that is composed. In contrast, Watanabe generates a calling sound based on the calling sound parameters that are stored in the RAM when an incoming call arrives, not on the incoming call itself. (See

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stored in the RAM when an incoming call arrives, not on the incoming call itself. (See Watanabe, col. 4, ll. 33-36). The radio receiver in Watanabe is placed in a calling sound setting mode. Subsequently, (1) a tone is selected, (2) on-period of the tone is set, and (3) off-period of the tone is set. (See *Id.*, col. 4, ll. 23-28). Once these are selected/set, selected or set parameters are supplied to the RAM. (See *Id.*, col. 4, ll. 28-30). These are the parameters that are retrieved to generate the calling sound. Therefore, there is no correlation between the incoming call and the calling sound in Watanabe.

Thus, it is respectfully submitted that Watanabe does not disclose or suggest “a processor operable to compose a melody *corresponding to the incoming message* subsequent to a reception of the incoming message by said receiver,” as recited in claim 20. Accordingly, it is respectfully requested that the Examiner should withdraw the 35 U.S.C. § 102(b) rejection of claim 20.

Claims 23 recites “compos[ing] a melody corresponding to the incoming message subsequent to a reception of the incoming message.” Thus, it is respectfully requested that the Examiner should withdraw the 35 U.S.C. § 102(b) rejection of claim 23.

Claims 25 recites “a processor operable to control a display of the incoming message and a transformation of the incoming message into a melody subsequent to a reception of the message by said receiver.” Thus, it is respectfully requested that the Examiner should withdraw the 35 U.S.C. § 102(b) rejection of claim 25.

### III. THE 35 U.S.C. § 103(a) REJECTION SHOULD BE WITHDRAWN

The Examiner has rejected claims 21-22, 24, 26-29, 31-32, and 34-35 under 35 U.S.C. § 103(a) as unpatentable over EP 0709812 (Watanabe) in view of U.S. Pat. No. 6,075,998 (Morishima). (See 6/13/06 Office Action, p. 4). Watanabe was discussed above.

Morishima is directed toward recognizing information in a message with reference to an identification symbol that is memorized in the ID-ROM. (See Morishima, col. 4, ll. 22-24). A scale map preliminarily memorizes a plurality of musical tone information data, each of which is

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composed of tone name information comprising a tone name of each musical tone and a tone name frequency or an oscillation frequency of the tone name. (See Id., col. 4, ll. 1-6). The production of a melody is accomplished by recalling in the memory of already stored musical tone information data. (See Id., col. 4, ll. 38-47).

Morishima does not disclose or suggest “a processor operable to compose a melody *corresponding to the incoming message* subsequent to a reception of the incoming message by said receiver,” as recited in claim 20. As discussed above with reference to the Examiner’s 35 U.S.C. § 102(b) rejection, Watanabe also does not disclose or suggest the above recitation of claim 20. Thus, it is respectfully submitted that neither Watanabe nor Morishima, either alone or in combination, discloses or suggests “a processor operable to compose a melody *corresponding to the incoming message* subsequent to a reception of the incoming message by said receiver,” as recited in claim 20. Because claims 21-22 and 31-32 depend from and, therefore, include all the limitations of claim 20, it is respectfully submitted that these claims are also allowable.

Claims 23 recites “compos[ing] a melody corresponding to the incoming message subsequent to a reception of the incoming message.” Thus, it is respectfully submitted that neither Watanabe nor Morishima, either alone or in combination, discloses or suggests this recitation of claim 23. Because claims 24 and 34-35 depend from and, therefore, include all the limitations of claim 23, it is respectfully submitted that these claims are also allowable.

Claims 25 recites “a processor operable to control a display of the incoming message and a transformation of the incoming message into a melody subsequent to a reception of the message by said receiver.” Thus, it is respectfully submitted that neither Watanabe nor Morishima, either alone or in combination, discloses or suggests this recitation of claim 25. Because claims 26-29 depend from and, therefore, include all the limitations of claim 25, it is respectfully submitted that these claims are also allowable.

The Examiner has rejected claims 30, 33, and 36 under 35 U.S.C. § 103(a) as unpatentable over EP 0709812 (Watanabe) in view of U.S. Pat. No. 6,075,998 (Morishima) in further view of U.S. Pat. No. 6,064,666 (Willner). (See 6/13/06 Office Action, pp. 4-5).

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Watanabe and Morishima were discussed above.

Willner is directed toward an apparatus, method, and architecture for a service network with cross service association and domain mapping. (See Willner, col. 8, ll. 19-21). Nowhere in the patent are musical tones discussed, let alone creation of melodies based on the incoming message.

Willner does not disclose or suggest “a processor operable to compose a melody *corresponding to the incoming message* subsequent to a reception of the incoming message by said receiver,” as recited in claim 20. As discussed above with reference to the Examiner’s 35 U.S.C. § 103(a) rejection regarding claims 21-22, 24, 26-29, 31-32, and 34-35, Watanabe in view of Morishima also does not disclose or suggest the above recitation of claim 20. Thus, it is respectfully submitted that neither Watanabe, Morishima, nor Willner, either alone or in combination, discloses or suggests “a processor operable to compose a melody *corresponding to the incoming message* subsequent to a reception of the incoming message by said receiver,” as recited in claim 20. Because claim 33 depends from and, therefore, includes all the limitations of claim 20, it is respectfully submitted that this claim is also allowable.

Claims 23 recites “compos[ing] a melody corresponding to the incoming message subsequent to a reception of the incoming message.” Thus, it is respectfully submitted that neither Watanabe, Morishima, nor Willner, either alone or in combination, discloses or suggests this recitation of claim 23. Because claim 36 depends from and, therefore, includes all the limitations of claim 23, it is respectfully submitted that this claim is also allowable.

Claims 25 recites “a processor operable to control a display of the incoming message and a transformation of the incoming message into a melody subsequent to a reception of the message by said receiver.” Thus, it is respectfully submitted that neither Watanabe, Morishima, nor Willner, either alone or in combination, discloses or suggests this recitation of claim 25. Because claim 30 depends from and, therefore, includes all the limitations of claim 25, it is respectfully submitted that this claim is also allowable.

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CONCLUSION

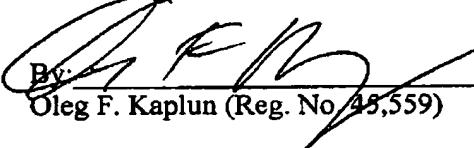
In view of the above remarks, it is respectfully submitted that all the presently pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Please direct all future correspondence to:

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